

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 5146

AN ORDINANCE determining the public advantage in vacating a portion of NE 24th Street from 116th Avenue NE west to I-405, in the City of Bellevue, Washington, and vacating the same subject to certain conditions.

WHEREAS, the City Council did on May 3, 1999, pass Resolution No. 6320, fixing the time and place for a hearing to consider the vacation of a portion of NE 24th Street from 116th Avenue NE west to I-405 within the City of Bellevue, Washington, and gave notice of said hearing by posting and mailing in the manner required by law; and

WHEREAS, investigation was made as to the use of said street and the public interest served or damaged by change of such use by the vacation thereof; and

WHEREAS, a hearing was held upon the said petition on the 7th day of June, 1999, at the time and place fixed in said resolution and notice, and

WHEREAS, following said hearing the City Council, by motion found that the vacation of all or a portion of said street to the extent described in the petition therefore, would serve the public good, and directed staff to bring back an ordinance vacating such streets or portions thereof; and

WHEREAS, said vacation also be subject to payment of compensation by the respective abutting property owners in accordance with Section 14.35.130 of the Bellevue, City Code; and

WHEREAS, upon payment of compensation by the respective abutting property owners in accordance with Section 14.35.130 of the Bellevue City code and fulfillment of all other conditions established herein for such vacation, such street or a portion thereof shall be vacated and the City Manager or his designee is directed to execute a declaration of vacation consistent with this ordinance and record the same with the King County Office of Elections and Records and to take any other action necessary to vacate such streets or portions thereof; now therefore,

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. The following portion of NE 24th Street from 116th Avenue NE west to I-405 is hereby vacated subject to the fulfillment of all conditions set forth in Section 2 of this ordinance:

That portion of the north half of the south half of the north half of the south half of the northeast quarter of the northeast quarter; also the north half of the north half of the south half of the northeast quarter of the northeast quarter; all in Section 29, Township 25 North, Range 5 East, Willamette Meridian, in King County, Washington lying within a strip of land 100.00 feet in width, being 50.00 feet on each side, when

measured at right angles from the N.E. 24th (FSE Line) line survey of primary state highway No. 1, the specific details concerning all of which may be found within those certain maps of definite location now of record and on file in the office of the Director of Highways at Olympia, Washington, bearing dates of approval July 1, 1952 and July 23, 1963, revised August 27, 1963 and February 11, 1964; and the center line of P.S.H. No. 1 Bellevue to Northrup Interchange is also of record in Volume 3 of Highway Plats, Page 57, under Auditor's File No. 5639991; also the centerline of said P.S. H. No. 1 Mid Lakes to Kirkland is also of record in Volume 1 of Highways Plats, Page 148, under Auditors File No. 4893966, all in the records of King County, Washington. Except that portion thereof lying within the easterly 30.00 feet thereof for 116th Avenue NE; and except that portion thereof lying westerly of a line described as follows: Begin at a point 125 feet distant easterly, when measured radially from the L line survey of Primary State Highway No. 1, Bellevue to Northrup Interchange at Highway Engineer's Station L 386+50; thence southeasterly 470 feet, more or less, to a point 290 feet distant easterly, when measured radially from said L line at Highway Engineer's Station L 382+00; thence southerly 550 feet, more or less, to a point 185 feet distant easterly, when measured radially from the centerline of Primary State Highway No. 1, Midlakes to Kirkland at Highway Engineer's Station 376+50, and the terminus of this line description.

Section 2. The City Manager or his designee is directed to execute a declaration of vacation consistent with the provisions of this ordinance and to record the same with the King County Office of Elections and Records and to take any other action necessary to vacate such street or portion thereof upon evidence of satisfactory completion of all condition of such vacation including but not limited to reservation of necessary public utility easements, approval by the State of the vacation, payment of compensation to the extent and in the amount required by Section 14.35.130 of the Bellevue City Code or as otherwise acceptable to the State, and payment of all costs of acquisition services needed to convey title including the costs of final survey, appraisals, recording fees, escrow, title insurance, processing fees and any other costs related to the purchase of the property, except as otherwise agreed by the parties.

Section 3. The City Clerk is directed to record a certified copy of this ordinance with the Department of Records and Elections of King County.

Section 4. This Ordinance shall take effect and be in force five days after legal publication.

Passed by the City Council this 7th day of June, 1999, and signed in authentication of it passage this 7th day of June, 1999.

(SEAL)

Mike Creighton, Mayor

Approved as to form:
Richard L. Andrews, City Attorney

Patrice C. Cole, Assistant City Attorney
Attest:
Myrna L. Basich, City Clerk

Published June 11, 1999